

**PROPOSED REGULATIONS OF  
THE DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
CALIFORNIA CODE OF REGULATIONS**

**Title 8. Industrial Relations  
Division 1. Department of Industrial Relations  
Chapter 3.2. California Occupational Safety and Health Regulations (Cal/OSHA)  
Subchapter 2. Regulations of the Division of Occupational Safety and Health  
Article 2.7. Approval of Courses and Course Providers**

Adopt section 341.17 as follows:

**341.17. Approval of Asbestos Cement Pipe Training and Asbestos Cement Pipe Course Providers for the purpose of Employer Exemption from Registration Requirements.**

**(a) Scope and Application.**

Any course provider (individual or business entity) desiring to provide asbestos cement pipe training for the purpose of employer exemption from requirements for "asbestos-related work" as provided by Section 1529(r) and Labor Code Section 6501.8(c) shall apply for and obtain approval pursuant to this section.

**(b) Criteria for Asbestos Cement Pipe Course Approval.**

(1) Initial course. The course shall consist of a minimum of four (4) hours training for workers and for supervisors, and shall include, but is not limited to the following topics:

- (A) The physical characteristics and health hazards of asbestos.
- (B) The types of asbestos cement pipe an employee may encounter in his or her specific work assignments.
- (C) Safe practices and procedures for minimizing asbestos exposures from operations involving asbestos cement pipe.
- (D) A review of general industry and construction safety orders relating to asbestos exposure.
- (E) Hands-on instruction using pipe and the tools and equipment employees will use in the work place.

(2) Refresher course. Annual re-training must be provided in accordance with Section 1529(k)(9)(B). The annual refresher shall include at least two hours of review of the important elements covered in the initial course, any changes in federal and state asbestos regulations, and the latest developments in state of the art practices for work involving asbestos cement pipe.

**(c) Applying for Course Approval.**

Any individual or entity that desires to provide Division approved asbestos cement pipe training may apply to the Division at this address:

Division of Occupational Safety and Health  
AC Pipe Training Approval  
P.O. Box 420603  
San Francisco, CA 94142

The following information shall be provided:

- (1) The name and address of the individual or entity providing the training, the name and title of the person submitting the application with his or her signature and a statement certifying that the information and material submitted will be used in the course for which approval is being sought, and the name, title, and telephone number of the person whom the Division should contact regarding course approval matters.
- (2) A written description of the training topics and hands-on practices that will be taught, and a copy of any training documents and visual training aids that will be used.

**(d) Application Fee.**

- (1) The application fee is \$200 for the initial course and \$100 for the annual refresher course.
- (2) Remittance for the application fee shall be made payable to the Asbestos Training Approval Account.
- (3) The fee is not refundable.

**(e) Process of Application.**

- (1) Within 30 business days of receipt of an application, the Division shall notify the applicant in writing that the application is approved and issue a Division Course Approval Number, or that the application is deficient. The notice shall specify what additional information or documentation is necessary when the application is found to be deficient.
- (2) Within 20 business days of receipt of the requested additional information or documentation, the Division shall notify the applicant in writing that the application is approved and issue a Division Approval Number, or that the application is still deficient and denied.
- (3) An applicant whose application is denied may submit a new application with another application fee of \$200.

**(f) Training Records.**

- (1) To maintain the course approval, the course provider shall maintain records which give the names of the trainees, the dates that the training was provided, the name(s) of the instructor(s) giving the training, and the Division issued Course Approval Number. This applies whether or not the course provider is also the employer.
- (2) The course provider shall provide a copy of the training records to the Division when requested.

**(g) Revocation of Course Approval.**

- (1) The Division may at any time, upon showing of good cause and after notice and an opportunity to be heard, revoke any course approval issued pursuant to this section.

- (2) Notice shall be writing and served upon the course provider at least 24 hours in advance of the hearing. Service shall be by personal service or certified mail to the course provider address as shown on the course approval application. The notice shall specify the reasons for the action taken by the Division in or order than the course provider may prepare for the hearing.
- (3) The hearing shall be held as soon as possible at the Division's headquarters office or at such other location as may be designated by the Division and shall be presided over by the Chief of the Division or authorized designee.
- (4) At the hearing the Division shall establish good cause for the action taken by it. Good cause is deemed to exist if the Division establishes that the course provider did not provide the required training.
- (5) The course provider receiving a revocation from the Division may appeal such revocation to the Director. The Director shall hold a hearing at such place designated by the Director or authorized designee for the convenience of the attending parties within two working days of the course provider's appeal. The course provider shall have the burden of establishing that the revocation is not justified. The hearing shall be presided over by the Director or authorized designee.
- (6) Following the hearing, the Director shall issue a decision. The Director's decision shall be final except for any rehearing or judicial review provided for by law. All requests for hearing shall be filed with the Director within 10 days from the date of the Director's decision.

Note: Authority cited: Sections 60.5, 6308, and 9021.9 Labor Code. Reference: Sections: 6501(c) and 9021.9, Labor Code and Section 1529, Title 8 California Code of Regulations.